

Election Procedures

I. EMPLOYEE TRUSTEE ELECTION: The Employee Trustee election, shall be voted on by every full time employee, part time employee, seasonal employee employed at the time of the election, and newly hired employee that has actually started to work, additionally ballots for the employee trustee shall be provided to each employee that is classified as a deferred retiree, every employee on leave of any type as well as on vacation. This includes contributing members to the Cincinnati Retirement System employed by the City of Cincinnati, U.C. - Medical, U.C. - College and Hamilton County.

Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election. Official election returned envelopes shall be imprinted with a series of alpha characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election.

Returned election ballots must be contained within a sealed, official return envelope. Neither copied nor reproduced ballots, unsealed envelopes, or unofficial return envelopes will be counted.

1. Nomination Notice

- a. Notice of the opening of nominations shall be distributed on the Monday prior to the first (1st) Tuesday of April (approximately **60** days prior to the election date).
- b. Opening of Nominations shall on the first (1st) Tuesday of April
- c. Nomination notice shall be prepared and distributed by the Retirement Division.
- d. The Nomination Notice shall contain the term being voted on, the deadline for nominations, the deadline for candidates position papers, the date for the posting of candidate names having provided valid nominating petition forms, the opening and closing date of the election and within the Retirement Division office the contact persons name, telephone number and email address.
- e. Notice of the opening of the nomination process shall be distributed to all departments, boards and commissions, of members eligible to vote.
- f. It shall be the responsibility of these departments, boards and commissions to ensure the distribution and posting of this notice.

2. Nominations

- a. Nomination petition forms shall contain the name of the candidate and as a petition state the position the candidate is seeking on each page.
- b. Candidates shall seek election in either the expired term or the unexpired term, but shall not be allowed to be a candidate for both at the same time.
- c. Valid nomination petition forms submitted, for a single candidate for both an expired and unexpired term, shall require such candidate to declare

candidacy to the Retirement Division for only one term, within 5 working days of notification. Notification can occur by telephone call, email, or written. Candidates failing to notify the Retirement Division office within the time limits may be declared ineligible, as a candidate.

- d. Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the employee trustee election.
- e. Along with the nomination form each candidates shall separately provide the Retirement Division with their official work address, their email address at work if applicable or their personal email address, their telephone number at work, Department and Division employed by, their official title, the number of years employed and their city supplied cell phone number upon submitting their nomination form.
- f. Nomination petition forms shall be returned to the Retirement Division office (Room 240 City Hall) no latter than 4:00 p.m. on the 4th Monday of April (approximately 45 calendar days prior to the election close date).
- g. Nomination petition forms returned by U.S. mail must be postmarked no later than the deadline.
- h. The Retirement Division office shall authenticate each name, and notify the candidate within five (5) work days, if there are not enough readable or valid names.
- i. The list of validated candidates' names shall be distributed to all departments, boards and commissions, by the Retirement Division, eight (8) days after the closing of the nominations.
- j. If the nomination form of only one candidate name has been submitted, by the deadline, and such nomination form contains the minimum 25 validated signatures, the election shall be declared closed and such candidate shall be recommended by the election committee for approval by the Board.

3. Candidates Position Paper

- a. Each candidate shall provide the Retirement Division office with a position paper in Microsoft WORD format or in a PDF format, containing no more than 200 words, on only one (1) page, by 4:00 p.m. on 4th Monday of April (approximately 45 calendar days prior to the election close date).
- b. Each position paper can be emailed, mailed via inner office mail, U.S. mail, or hand delivered in either a printed format on contained on a floppy disc or CD.
- c. Candidates' position papers returned by U.S. mail must be postmarked no later than the deadline.
- d. Candidates' position paper shall be included with each ballot.
- e. Candidates' position paper shall not contain any profanity, nor derogatory comments regarding other candidates.

4. Ballots:

- a. Ballots for an expired term shall be of a significantly different color than those for an unexpired term.
- b. Ballots for an unexpired term shall also contain the wording “UNEXPIRED TERM” in bold capitalized lettering larger than all other fonts centered at the top of each such ballot.
- c. The position of the name of each candidate, and the write-in space shall be rotated on the ballots so that no single candidates name shall appear as the first name a greater number of times.
- d. A space shall be provided for a “write in” candidate, of an eligible member.
- e. A ballot shall be marked only once, for only one candidate.
- f. Ballots shall not be reproduced nor copied.
- g. Ballots shall be distributed to all departments, boards and commissions, of members eligible to vote, by the Retirement Division, no later than one day before the beginning of the election.
- h. The heads of all departments, boards and commissions, of members eligible to vote, shall ensure the timely distribution of the ballots.
- i. Employees not receiving a ballot from the place of employment may request a duplicate ballot.
- j. Request for a duplicate ballot shall be submitted to the Retirement Office.
- k. A duplicate ballot shall be of a different color and marked “DUPLICATE”
- l. A duplicate ballot shall be mailed to the employees’ home address, or picked up in person within the Retirement Division office, Room 240, City Hall after signing as receiving such.
- m. The CRS Board, the Retirement Division nor the Election Committee assumes any responsibility if the duplicate ballot is not returned by the deadline.
- n. Ballots shall be returned only in the official election return envelope provided.
- o. Ballots in the official election return envelope provided shall be returned by U.S. mail, inner-office mail, or deposited directly into the locked “Ballot Box” located within the Retirement Division office, front desk area in Room 240, City Hall.
- p. Returned ballots in the official election return envelope provided shall remain secure within the locked ballot box, within the vault of the Treasurer, of the City of Cincinnati, during non-business hours.
- q. Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- r. Ballots received by U.S. mail, after the close of the election, but having a readable postmark before the close of the election shall be counted.

5. Election:

- a. The election shall be open as of the fourth (4th) Tuesday of May.
- b. The election shall be closed as of 4:00 p.m. on the first Monday of June.

6. Counting of Ballots:

- a. The ballots shall be counted on the second (2nd) day after the election close.
- b. The chair of the election committee shall notify the candidates seeking election, of the time and location for the counting of ballots.
- c. Each candidate shall have the opportunity to attend and witness the counting of ballots, or to designate a proxy as their official representative to attend and witness the counting of the ballots, prior to the initiation of the counting process.
- d. The chair of the Election committee shall declare the Election Committee closed for the purpose of the “counting of the ballots. The Chair of the Election Committee shall brief the candidates or the proxies of a candidate of the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidate or the proxy of a candidate shall remain seated in their assigned seat. The counting of ballots or any other item regarding the counting shall remain confidential. A violation of this confidentiality of the election count shall result in the candidate or proxy violating such to be recommended for disqualification.
- e. No other persons other than the candidates or their proxy, along with the Election Committee Members or designated assistance shall be present during the count.
- f. The counting of the ballots shall follow the Election Committee policy for such.
- g. The Election Committee shall, after a brief executive meeting, then open to the public their special election committee meeting after completion of the count. A report shall be submitted for the committees’ consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicate ballots returned, and writes in ballots. A report shall then be submitted for the committees’ consideration and approval pertaining to the count of valid ballots, by candidate names, writes in candidate names.

7. Tied Vote Results

- a. If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.
 - i. The chair of the election committee shall set the time and location for resolving a tie.
 - ii. Both candidates involved in the tie shall be present at the meeting to resolve the tie.
 - iii. A tie shall be resolved by the chair of the election committee, by means of the flipping of a coin, once.
 - iv. The candidate having the greater time as a member of the CRS shall call the coin while still in the air.
 - v. The coin shall fall to the ground.
 - vi. If the coin lands on the side called, then that candidate is declared the recommended elected candidate (pending Board approval and administration of the oath of office).

8. Taking of Office:

- a. The chair of the election committee and one other Board member shall submit a request to the chair of the Board for a “special Board meeting” for the sole purpose of considering for approval the recommendation of the election committee regarding the election results, if the recommendation from the Election Committee has not been prepared for Board consideration at the Board meeting following the election .
- b. The candidate with the greatest number of valid votes or in the instance of tied vote results, the winner of the tie shall be declared the election committees elected candidate of the election, pending Board approval of the Election committee recommendation and completion of the Oath of Office.
- c. A notary provided by the City shall conduct the oath of office, after the Board has approved the election committee’s recommendation, within no more than 10 days of the closing of the election
- d. The Board approved elected employee trustee, may then be seated as well as vote at all Board meetings.
- e. The chair of the Board will then seek of the newly elected trustee their desired committee assignment, and make appropriate Board committee assignments.

9. Disqualification from Candidacy and as a Board Trustee:

- a. A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:
 - i. Civil conviction for Dishonesty or disciplinary decision confirming Dishonesty.
 - ii. Conviction of a felony, as an adult.
 - iii. Failure of compliance with these election requirements.

10. Retirement or Dismissal During the Appointed or Elected Term:

- a. Any employee trustee having been administered the oath of office after the June **2007** election, that retirees or leaves employment of the City, U.C. Medical, U.C. College, or Hamilton County, or transfers to a different retirement system shall submit in writing and addressed to the Chair of the Board their resignation from the Board as of the effective date of retirement, transfer or dismissal.
- b. The application of this section shall be applied prospectively forward, and shall not be applied in retrospect to any trustee before the trustee having been administered the oath of office from the June 2007 election.
- c. Failure to submit such notification of any item contained within Section 10. Disqualification from Candidacy and as a Board Trustee upon discovery shall result in the immediate submission of a request for a “special Board meeting” for the purpose of discussion of the facts of the discovery and the potential of a recommendation by the Election Committee Chair in the instance of a candidate, or in the instance of a

trustee for any Board member to make a motion to the Board for the immediate removal of such trustee from the CRS Board.

II. RETIREE TRUSTEE ELECTION: The Retiree Trustee election, shall be voted on by every retiree, disability retiree, or beneficiary of a retiree. This includes retired members to the Cincinnati Retirement System retired from the City of Cincinnati, U.C. Medical, U.C. College and Hamilton County.

Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election. Official election returned envelopes shall be imprinted with a series of alpha characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election.

Returned election ballots must be contained within a sealed, official return envelope, neither copied nor reproduced ballots, unsealed envelopes, or unofficial return envelopes will be counted.

11. Nomination Notice

- a. Notice of the opening of nominations shall be distributed on the Monday prior to the fourth (4th) Tuesday of June (approximately 70 days prior to the election date).
- b. Opening of Nominations shall on the fourth (4th) Tuesday of June.
- c. Nomination notice shall be prepared and distributed by the Retirement Division.
- d. Opening of the Nomination notification for retiree trustee may be by postcard.
- e. The Nomination Notice shall contain the term being voted on, the deadline for nominations, the deadline for candidates position papers, the date for the posting of candidate names having provided valid nominating petition forms, the opening and closing date of the election and the contact persons name, telephone number and email address within the Retirement Division office.
- f. Notice of the opening of the nomination process shall be distributed to all individuals receiving a retirement pension from the CRS.

12. Nominations

- a. Nomination petition forms shall contain the name of the candidate and as a petition state the position the candidate is seeking on each page.
- b. Candidates shall seek election in either the expired term or the unexpired term, but shall not be allowed to be a candidate for both at the same time.
- c. Valid nomination petition forms submitted, for a single candidate for both an expired and unexpired term, shall require such candidate to declare candidacy to the Retirement Division for only one term, within 5 working days of notification. Notification can occur by telephone call, email, or written. Candidates failing to notify the Retirement Division office within the time limits may be declared ineligible, as a candidate.

- d. Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the retiree trustee election.
- e. Along with the nomination form each candidates shall separately provide the Retirement Division with their official home address, their email address if they have one, their telephone number at home, the Department and Division retired from, their official title at the time of retirement, the number of years employed, the year of their retirement and if available their personal cell phone number upon submitting their nomination form.
- f. Nomination petition forms shall be returned to the Retirement Division office (Room 240 City Hall) no latter than 4:00 p.m. on the 3rd Monday of July (approximately 50 calendar days prior to the election close date).
- g. Nomination petition forms returned by U.S. mail must be postmarked no later than the deadline.
- h. The Retirement Division office shall authenticate each name, and notify the candidate within five (5) work days, if there are not enough readable or enough valid names.
- i. The list of validated candidates' names shall be posted on the Retirement Divisions web page, eight (8) days after the closing of the nominations.
- j. If the nomination form of only one candidate name has been submitted, by the deadline, and such nomination form contains the minimum 25 validated signatures, the election shall be declared closed and such candidate shall be recommended by the election committee for approval by the Board.

13. Candidates Position Paper

- a. Each candidate shall provide the Retirement Division office with a position paper in Microsoft WORD format or in a PDF format, containing no more than 200 words, on only one (1) page, by 4:00 p.m. on 3rd Monday of July (approximately 45 calendar days prior to the election close date).
- b. Each position paper can be emailed, mailed via inner office mail, U.S. mail, or hand delivered in either a printed format on contained on a floppy disc or CD.
- c. Candidates' position papers returned by U.S. mail must be postmarked no later than the deadline.
- d. Candidates' position paper shall be included with each ballot.
- e. Candidates' position paper shall not contain any profanity, nor derogatory comments regarding other candidates.

14. Ballots:

- a. Ballots for an expired term shall be of a significantly different color than those for an unexpired term.
- b. Ballots for an unexpired term shall also contain the wording "UNEXPIRED TERM" in bold capitalized lettering larger than all other fonts centered at the top of each such ballot.

- c. The position of the name of each candidate, and the write-in space shall be rotated on the ballots so that no single candidates name shall appear as the first name a greater number of times.
- d. A space shall be provided for a “write in” candidate, of an eligible member.
- e. A ballot shall be marked only once, for only one candidate.
- f. Ballots shall not be reproduced nor copied.
- g. Ballots shall be mailed, one day before the beginning of the election.
- h. Retirees not receiving a ballot at the address of record may request a duplicate ballot.
- i. Request for a duplicate ballot shall be submitted to the Retirement Office.
- j. A duplicate ballot shall be of a different color and marked “DUPLICATE”
- k. A duplicate ballot shall be mailed to the retirees’ home address, or picked up in person within the Retirement Division office, Room 240, City Hall after signing as receiving such.
- l. The CRS Board, the Retirement Division nor the Election Committee assumes no responsibility if the duplicate ballot is not returned by the deadline.
- m. Ballots shall be returned only in the official election return envelope provided.
- n. Ballots in the official election return envelope provided shall be returned by U.S. mail, or directly deposited directly into the locked “Ballot Box” contained within the Retirement Division office, front desk area in Room 240, City Hall.
- o. Returned ballots in the official election return envelope provided shall remain secure within the locked ballot box, within the vault of the Treasurer of the City of Cincinnati, during non-business hours.
- p. Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- q. Ballots received by U.S. mail, after the close of the election, but having a readable postmark before the close of the election shall be counted.

15. Election:

- a. The election shall be open as of the second (2nd) Tuesday of August.
- b. Due to the potential distance that the ballots may have to travel via U.S. Mail both to the retiree, and to be returned from the retiree, the ballot process for the retiree trustee shall be extended by seven (7) calendar days resulting in 21 days allowed for voting.
- c. The election shall be closed as of 4:00 p.m. on the first Tuesday of September.

16. Counting of Ballots:

- a. The ballots shall be counted on the second (2nd) day after the election close.
- b. The chair of the election committee shall notify the candidates seeking election, of the time and location for the counting of ballots.

- c. Each candidate shall have the opportunity to attend and witness the counting of ballots, or to designate a proxy as their official representative to attend and witness the counting of the ballots, prior to the initiation of the counting process.
- d. The chair of the Election committee shall declare the Election Committee closed for the purpose of the “counting of the ballots. The Chair of the Election Committee shall brief the candidates or the proxies of a candidate of the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidate or the proxy of a candidate shall remain seated in their assigned seat. The counting of ballots or any other item regarding the counting shall remain confidential. A violation of this confidentiality of the election count shall result in the candidate or proxy violating such to be recommended for disqualification.
- e. No other persons other than the candidates or their proxy, along with the Election Committee Members or designated assistance shall be present during the count.
- f. The counting of the ballots shall follow the Election Committee policy for such.
- g. The Election Committee shall, after a brief executive meeting, then open to the public their special election committee meeting after completion of the count. A report shall be submitted for the committees’ consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicate ballots returned, and writes in ballots. A report shall then be submitted for the committees’ consideration and approval pertaining to the count of valid ballots, by candidate names, writes in candidate names.

17. Tied Vote Results

- a. If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.
 - i. The chair of the election committee shall set the time and location for resolving a tie.
 - ii. Both candidates involved in the tie shall be present at the meeting to resolve the tie.
 - iii. A tie shall be resolved by the chair of the election committee, by means of the flipping of a coin, once.
 - iv. The candidate having the greater time as a member of the CRS shall call the coin while still in the air.
 - v. The coin shall fall to the ground.
 - vi. If the coin lands on the side called, then that candidate is declared the recommended elected candidate (pending Board approval and administration of the oath of office).

18. Taking of Office:

- a. The chair of the election committee and one other Board member shall submit a request to the chair of the Board for a “special Board meeting”

for the sole purpose of considering for approval the recommendation of the election committee regarding the election results, if the recommendation from the Election Committee has not been prepared for Board consideration at the Board meeting following the election.

- b. The candidate with the greatest number of valid votes or in the instance of tied vote results, the winner of the tie shall be declared the election committees elected candidate of the election, pending Board approval of the Election committee recommendation and completion of the Oath of Office.
- c. A notary provided by the City shall conduct the oath of office, after the Board has approved the election committee's recommendation, within no more than 10 days of the closing of the election. The Board approved elected employee trustee, may then be seated as well as vote at all board meetings.
- d. The chair of the Board will then seek of the newly elected trustee their desired committee assignment, and make appropriate Board committee assignments.

19. Disqualification from Candidacy and as a Board Trustee:

- a. A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:
 - i. Civil conviction for Dishonesty or disciplinary decision confirming Dishonesty.
 - ii. Conviction of a felony, as an adult.
 - iii. Failure of compliance with these election requirements.

III. VACATED UNEXPIRED TERM:

20. APPOINTMENT :

- a. If the vacated unexpired term has less than six (6) months remaining from the effective date of the vacancy, till the scheduled election close date, the remainder of the unexpired term shall be offered as an appointment to the candidate having the second highest count of votes from that type of vacated trustees' previous election.
- b. Such candidate shall be notified by letter of the offering.
- c. Such candidate shall have three (3) work days to confirm or decline.
- d. If all available candidates have declined the position, the position shall remain vacant, till filled by means of the scheduled election process.

21. VACATED UNEXPIRED TERM:

- a. If the vacated unexpired term has more than six (6) months remaining from the effective date of the vacancy, till the scheduled election close date, the remainder of the unexpired term shall be filled by a "special UNEXPIRED TERM" election.

- b. It shall be the Boards determination of the specific “special UNEXPIRED TERM” election close date.
- c. The process (nominations, candidate position paper, etc.) for a “special UNEXPIRED TERM” election shall follow the same process as described for a scheduled election, with the specific details being based on the type of trustee position vacated (employee or retiree).
- d. If the vacated unexpired term has less than six (6) months remaining from the effective date of the vacancy, but more than 90 days, till the scheduled election close date, the remainder of the unexpired term may be filled, with Board approval, by the candidate having received the next highest number of votes from the type of trustee position vacated from the previous election.
- e. If no candidate is available to fill the vacated unexpired term the Board may leave the position vacant or fill the position by a means as approved by the Board.

22. RETENTION AND DESTRUCTION OF ELECTION BALLOTS AND RETURNED ENVELOPES:

- a. The destruction of ballots from elections as well as the envelopes used to return such ballots shall conform to the guild lines and/or retention schedules of the City of Cincinnati Records Retention Committee.